

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2019

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.934 of 2013

and

MP.No.1 of 2013

R.Chandran

.. Petitioner

Vs.

C.Krishna veni

.. Respondent

Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the order dated 27.04.2013 passed in M.C.No.276 of 2008 on the file of III Additional Family Court at Chennai.

For Petitioner : No Appearance

For Respondent : Mr.R.Arumugam

ORDER

This Criminal Revision has been filed by the petitioner seeking to set aside the order dated 27.04.2013 passed in M.C.No.276 of 2008 by the learned III Additional Principal Judge, Family Court at Chennai.

2. When the matter was listed on 22.10.2018, none appeared on behalf of the revision petitioner. Today also, there is no representation for the revision petitioner. Since this revision case arising out of the order passed under Section 125 Cr.P.C, this Court is inclined to dispose the revision on merits. Heard the learned counsel appearing for the respondent and also perused the materials available on record.

3. It is seen from the records that the revision petitioner is the husband and the respondent is the wife. The respondent/wife filed a case in MC.No.276 of 2008 before the learned III Additional Principal Judge, Family Court, Chennai. The learned III Additional Principal Judge, after elaborate enquiry, awarded a sum of Rs.2,500/- as maintenance to the petitioner therein/wife from the date of filing of the petition and also directed the respondent therein/husband to pay the same on or before 5th of every English Calendar month, by an order dated 27.04.2013. Challenging the said order, the husband filed the present revision before this Court.

4. On reading of the entire evidence, it is seen that the relationship of the parties are not in dispute. Admittedly, both the parties are living separately due to misunderstanding. It is admitted by the revision petitioner that he has settled his property in favour of his daughters, but the fact remains that he has not paid any maintenance to the respondent/wife. The petitioner was working as Government Servant and now he is getting pension. Considering the said fact, the Family Court has rightly awarded a sum of Rs.2,500/-. This Court does not find any merit in this revision and the same is liable to be dismissed.

5. Accordingly, this Criminal Revision Case is dismissed. The order dated 27.04.2013 in M.C.No.276 of 2008 by the learned III Additional Principal Judge, Family Court, Chennai, is hereby confirmed. The revision petitioner is directed to deposit the entire arrears of maintenance from the date of filing the maintenance case till today into the Court below. The revision petitioner is also directed to pay the monthly maintenance amount of Rs.2,500/- to the respondent as directed by the Court below. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The III Additional Principal Judge,
III Additional Family Court,
Chennai.

AKM/31.10.19/2P-2C /

Cr1.R.C.No.934 of 2013